REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	16 December 1999
Name of applicant/court:	The District Court at Christchurch
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	neto_wendel10.jpg
Other Known Titles:	DIA Exhibit #8
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Applicable
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

Direction to issue a label has been given on: Not Applicable.

SUMMARY OF THE REASONS FOR DECISION:

The publication *neto_wendel10.jpg* is classified as:
Objectionable.

This classification is because the computer image file promotes and supports the exploitation of young persons for sexual purposes.

The computer image file contains a colour photograph of young persons engaging in sexual activity. It shows a naked young male fellating another young supine male. The fellated boy lies back and looks into the camera. Both boys are on a bed. They both appear aged around 15 years. The fellatio is the focus of the photograph. The scrolling keys have to be used to access the full image. The image is so large there is a loss of clarity.

The photograph presents young persons as sexually active and available, and enjoying sex with other young persons. This strengthens and legitimises the notion of sexual activity between and with young persons. The image therefore promotes and supports the exploitation of young persons for sexual purposes and is deemed objectionable.

An objectionable classification places a limit on s14 of the New Zealand Bill of Rights Act 1990 (NZBR Act). The publication falls under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) which overrides s14 of the NZBR Act because it is a deeming provision which cannot be given a meaning that is consistent with the rights and freedoms contained in s14 of the NZBR Act. This limit on freedom of expression is prescribed by law.

OFLC Ref: 9901767